IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO. 167 OF 2006

Naresh C. Jadhwani .. Applicant

V/s

Union of India & Anr. .. Respondents

Mr.Vikas R. Hukmani for the Applicant.

Mr.T.J. Pandian for the Respondents.

CORAM : H.L. GOKHALE, ACG. CJ.

DATE : 2ND MARCH 2007

P.C. :

1. Heard Mr.Hukmani for the Applicant and Mr.Pandian for the Respondents.

2. Perused the petition. A reply is filed by the Respondents which is taken on record.

3. It is agreed between the parties that the General Manager, Central Railway be directed to appoint the arbitrator as per clause 64 of GCC within a period of 8 weeks. It is ordered accordingly. All questions on merits are left open to the decision of the arbitrator including arbitrability of the claim.

Liberty to the Respondents to file their counter claim, if any, before the arbitrator.

4. The application is accordingly disposed of.

ACTING CHIEF JUSTICE